

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CR. No.: 2:08cr34-WKW
)	
JAMES EARLE STINSON)	

MOTION TO WITHDRAW AS COUNSEL

COMES NOW the Undersigned Counsel, Donnie W. Bethel, and files this Motion to Withdraw as Counsel of Record in this matter. In support of this Motion, counsel states the following:

1. On Friday, July 11, 2008, Undersigned Counsel received a phone call from Defendant's girlfriend, who informed Undersigned Counsel that Defendant had requested that she pass along the following message: Undersigned Counsel's services were no longer needed. I advised her that no other attorney had filed a notice of appearance on Defendant's behalf and that Defendant had not filed notice with the Court that he intended to represent himself, which meant that Undersigned Counsel must continue to represent Defendant.

2. On Tuesday, July 15, 2008, Undersigned Counsel traveled to the Montgomery City Jail to meet with Defendant to discuss his representation and to discuss the upcoming sentencing hearing, set for July 22, 2008. A correctional officer at the Jail informed Undersigned Counsel that Defendant refused to leave his cell to meet with Undersigned Counsel. Undersigned Counsel asked the correctional officer to ascertain from Defendant whether he had hired private counsel or whether he wished to represent himself, and, if neither, to again ask Defendant to accompany the correctional officer to the attorney visitation room to meet with Undersigned Counsel. The correctional officer

returned from visiting Defendant's cell and informed Undersigned Counsel that, upon further inquiring of Defendant as requested, Defendant refused to speak to the correctional officer and still refused to leave his cell.

3. Wherefore, as Defendant is completely unwilling to even meet with Undersigned Counsel to discuss Defendant's case, Undersigned Counsel has no choice but to move the Court to allow Undersigned Counsel to withdraw as counsel of record.

Dated this 17th day of July 2008

Respectfully submitted,

s/ Donnie W. Bethel
DONNIE W. BETHEL
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CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Verne H. Speirs, Esquire, Assistant United States Attorney.

Respectfully submitted,

s/ Donnie W. Bethel
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